

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOSEPH DAVID STOUGH, # 118365,)
)
Petitioner,)
)
v.) CASE NO.: 1:16-CV-397-WKW
) [WO]
WILLIE THOMAS and)
STEVEN T. MARSHALL, the Attorney)
General for the State of Alabama,)
)
Respondents.¹)

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 12.) There being no timely objection filed to the Recommendation, and based on an independent review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 12) is ADOPTED;

2. Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2254 (Doc. # 1) is DENIED; and

3. This action is DISMISSED with prejudice, as the petition was filed after expiration of the one-year limitation period in 28 U.S.C. § 2244(d).

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Luther Strange's successor, Steven T. Marshall, is substituted as the defendant.

A separate final judgment will be entered.

DONE this 1st day of November, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE